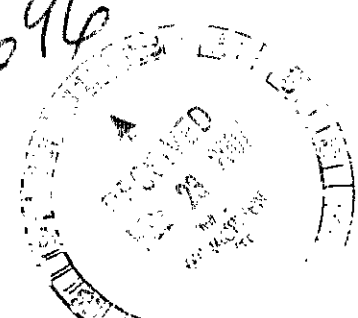




Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

218696



James R. Paschall
Senior General Attorney

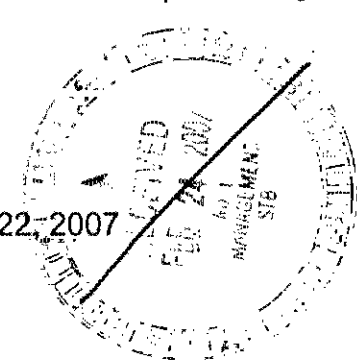
Direct Dial Number:
(757) 629-2759
fax (757) 533-4872

FEE RECEIVED

FEB 23 2007

SURFACE
TRANSPORTATION BOARD

February 22, 2007



Via DHL Express

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20006

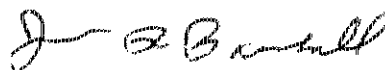
Re: STB Docket No. AB-290 (Sub-No. 292X) Norfolk Southern Railway
Company - Discontinuance of Service - Between North Jackson
and Sebring, Mahoning County, Ohio - Notice of Exemption

Dear Mr. Williams:

Enclosed for filing with the Board in the subject docket are an original and ten
copies of Norfolk Southern Railway Company's Verified Notice of Exemption. Also,
enclosed is a check in the amount of \$3,100 for the filing fee.

Please acknowledge receipt of this filing on the enclosed copy of this letter and
return it to me in the self-addressed, stamped envelope.

Yours very truly,



James R. Paschall

Enclosures

FEE RECEIVED

FEB 23 2007

SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings
FEB 23 2007
Part of
Public Record

218696

BEFORE THE
SURFACE TRANSPORTATION BOARD

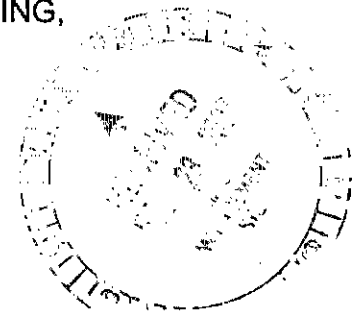
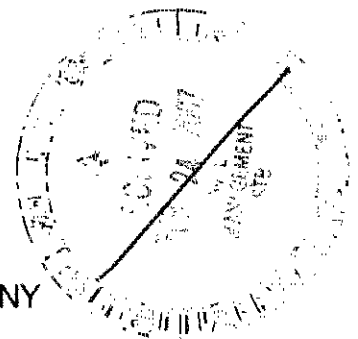
DOCKET NO. AB-290 (SUB-NO. 292X)

NORFOLK SOUTHERN RAILWAY COMPANY

-- DISCONTINUANCE OF SERVICE EXEMPTION --

BETWEEN NORTH JACKSON AND SEBRING,
MAHONING COUNTY, OHIO

VERIFIED NOTICE OF EXEMPTION



FEE RECEIVED

FEB 23 2007

SURFACE
TRANSPORTATION BOARD

James R. Paschall
Senior General Attorney
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, VA 23510

(757) 629-2759

Attorney for
Norfolk Southern Railway Company

FILED

FEB 23 2007

SURFACE
TRANSPORTATION BOARD

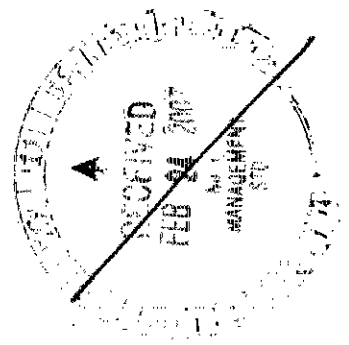
Dated: February 22, 2007

ENTERED
Office of Proceedings

FEB 23 2007

Public Record

Before the
Surface Transportation Board



Docket No. AB-290 (Sub-No. 292X)

Norfolk Southern Railway Company

-- Discontinuance of Service Exemption --

Between North Jackson and Sebring,
Mahoning County, Ohio



Verified Notice of Exemption

COMES NOW Norfolk Southern Railway Company ("NSR"), and files this notice of exemption from regulation under 49 U.S.C. §10903, pursuant to the provisions of 49 U.S.C. §10502 and 49 CFR §1152.50, for the discontinuance of service over its line of railroad lying between Milepost RZ 20.20 near North Jackson and Milepost RZ 35.90 near Sebring, in Mahoning County, Ohio (the "Line").

Pursuant to the Board's regulations codified at 49 CFR §1152.50, NSR states as follows:

Traffic Certification - §§1152.50(b) and (d)(2)

As the attached certificate of NSR General Manager R. A. Bartle confirms, no

traffic has originated or terminated on this line segment for at least two years, all overhead traffic has been rerouted over other lines, and no complaint is pending with the Board or a U. S. District Court or has been decided in favor of a complainant concerning cessation of service over this Line within the two-year period prior to the filing date of this Notice of Exemption.

Consummation Date - §1152.50(d)(2)

The effective date of the discontinuance of service over the Line between Milepost RZ 20.20 near North Jackson and Milepost RZ 35.90 near Sebring, in Mahoning County, Ohio, will be April 14, 2007.

General Corporate Information - §1152.22(a)(1-2) and (7)

The full name of the party filing this Notice of Exemption is Norfolk Southern Railway Company, a Virginia corporation. NSR is a common carrier by railroad subject to STB jurisdiction under Title 49 of the United States Code, Subtitle IV, Chapter 105. NSR's representative to whom correspondence with respect to this Notice of Exemption may be sent is:

James R. Paschall
Senior General Attorney
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510
(757) 629-2759

Description of the Line and the Relief Sought - §1152.22(a)(3-4 and 7)

The relief sought is an exemption for NSR's discontinuance of service over the Line. The Line for which the discontinuance of service exemption is sought consists of 15.70 miles of track between Milepost RZ 20.20 near North Jackson and Milepost RZ 35.90 near Sebring, in Mahoning County, Ohio. A map showing the line over which service is to be discontinued, other rail lines in the area, highways, and population centers is attached as Exhibit 1 to this notice. The line traverses United States Postal Service ZIP Codes 44451, 44609 and 44672, and includes the stations of Ellsworth, Berlin Center, Berl, Snodes, Ring and N. Sebring.

Suitability of the Line for Other Public Purposes - §1152.22(e)(4)

Because this is a discontinuance of service proceeding and not an abandonment proceeding, there is no need to provide an opportunity for trail use/rail banking or public use condition requests.¹ Thus, this item is not relevant to the exemption sought in this docket.

Statement Concerning Federally-Granted Right-of-Way - §1152.50(d)(1)

Based on information in the possession of NSR, the Line does not contain

¹Recent Board notices of exemption stating this principle are STB Docket No. AB-55 (Sub-No. 654X), *CSX Transportation, Inc. – Discontinuance of Service Exemption – In Washington, DC*, served September 20, 2004; STB Docket No. AB-33 (Sub-No. 212X), *Union Pacific Railroad Company – Discontinuance of Service and Trackage Rights Exemption – In Los Angeles and Orange Counties, CA*, served March 31, 2004.

federally-granted rights-of-way. Any documentation in NSR's possession will be made available promptly to those requesting it.

Labor Protection - §1152.50(d)(2)

Since the Line has been out of service for over two years, NSR believes no employees will be adversely affected by the discontinuance of service over this Line. However, as a condition to the grant of the exemption and exercise of the discontinuance permitted in this matter, NSR will accept the imposition of standard labor protective conditions as set forth in *Oregon Short Line R. Co. - Abandonment - Goshen*, 360 I.C.C. 91 (1979).

Environmental and Historic Reports; Certifications - §1105.6, §1105.7, §1105.8, §1105.9 and §1105.11

Because this is a discontinuance of service proceeding and not an abandonment proceeding, no environmental or historic documentation is required under 49 CFR 1105.6(c)(2) and 49 CFR 1105.8 and no transmittal letter is required under 49 CFR 1105.11². Further STB approval is required for NSR to abandon the Line.

²Recent Board notices of exemption stating this principle are STB Docket No. AB-55 (Sub-No. 654X), *CSX Transportation, Inc. – Discontinuance of Service Exemption – In Washington, DC*, served September 20, 2004; STB Docket No. AB-33 (Sub-No. 212X), *Union Pacific Railroad Company – Discontinuance of Service and Trackage Rights Exemption – In Los Angeles and Orange Counties, CA*, served March 31, 2004.

Service and Newspaper Notice Requirements Certification - §1152.50(d)(1-2)

As the attached certification indicates, NSR certifies that the service and notice requirements of §1152.50(d)(1)(certain governmental agencies) and §1105.12 (newspaper notice) have been complied with.

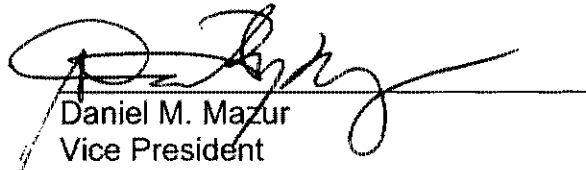
Offers of Financial Assistance

Because this is a discontinuance proceeding and not an abandonment proceeding, the Board need not consider offers of financial assistance (OFAs) to acquire the line for continued rail service.³

Conclusion

For the foregoing reasons, NSR states that the proposed discontinuance of service over the subject rail Line is exempt from the prior approval requirements of 49 U.S.C. §10903 pursuant to the class exemption set forth in 49 C.F.R. §1152.50 and requests that the Board serve the appropriate notice of exemption.

Respectfully submitted,



Daniel M. Mazur
Vice President
Norfolk Southern Railway Company

³See STB Docket No. AB-55 (Sub-No. 641X), *CSX Transportation Inc. - Discontinuance Exemption in Knox County, TN*, served January 2, 2004.

Of Counsel:

James R. Paschall
Senior General Attorney
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510-2191
(757) 629-2759


Attorney for Norfolk Southern Railway Company

Dated: February 22, 2007

VERIFICATION

COMMONWEALTH OF VIRGINIA :
SS:
CITY OF NORFOLK :

Daniel M. Mazur, being duly sworn, deposes and says that he is Vice President of Norfolk Southern Railway Company; that he is authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in STB Docket No. AB-290 (Sub-No. 292X) on behalf of Norfolk Southern Railway Company; that he has carefully examined all of the statements contained in said Notice of Exemption; that he has knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.


Daniel M. Mazur
Vice President
Norfolk Southern Railway Company

Subscribed and sworn to before me
this 13th day of February, 2007.


Notary Public

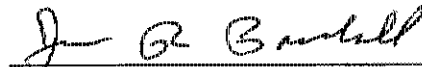
My commission expires:

November 30, 2009

[SEAL]

CERTIFICATION

I hereby certify that (1) pursuant to 49 C.F.R. §1105.12, a notice of intent to discontinue rail service was published in *The Vindicator*, Youngstown, Ohio, on January 26, 2007, (see Exhibit 2); and (2) that the notice required by 49 C.F.R. §152.50(d)(1) was given (see Exhibit 3).

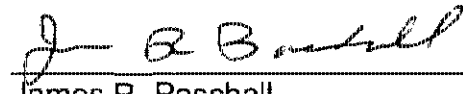


James R. Paschall

Dated: February 22, 2007

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Exemption was served upon Alan R. Schriber, Chairman, Public Utilities Commission of Ohio; Ohio Department of Transportation, Rail Development Commission; U. S. Department of Agriculture, Chief of the Forest Service; Regional Director, National Park Service; Jan Matthews, Associate Director, U. S. Department of the Interior-National Park Service; and, the United States Department of Defense (MTMCTEA); on February 22, 2007, by first class mail, postage prepaid.



James R. Paschall

CERTIFICATION

STATE OF PENNSYLVANIA :

SS:

CITY OF ~~HARRISBURG~~ :

MECHANICSBURG

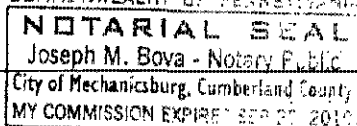
R. A. Bartle makes oath and says that he is General Manager Northern Region for Norfolk Southern Railway Company; that the line between milepost RZ 20.20 near North Jackson, and milepost RZ 35.90 near Sebring, in Mahoning County, Ohio, over which service is to be discontinued, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years; that all overhead traffic has been rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.


R. A. Bartle

Subscribed and sworn to before me
this 22nd day of January, 2007.


Notary Public

My commission expires:



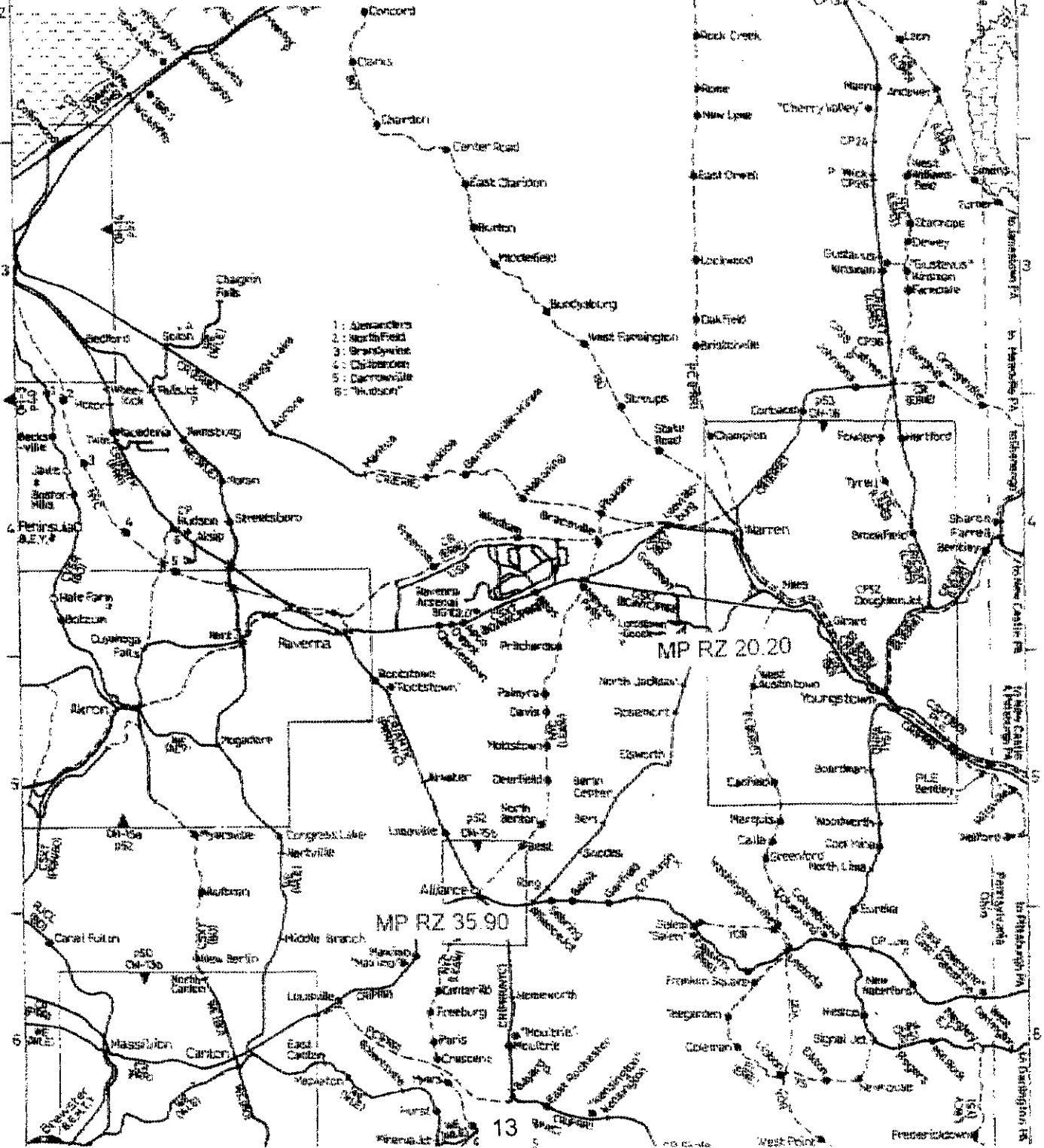
Map OH-4

NORTH EAST OHIO



**Norfolk Southern
Proposed Discontinuance of Service
MP RZ 20.20 - MP RZ 35.90
Mahoning County, Ohio**

- 1: Alexander
- 2: Northfield
- 3: Brandywine
- 4: Chardon
- 5: Carrowsville
- 6: Hudson



LEGAL NOTICE
NOTICE OF INTENT TO
DISCONTINUE RAIL SERVICE

Norfolk Southern Railway Company, gives notice that on or about February 23, 2007, it intends to file with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, permitting the discontinuance of service over a 15.70-mile line of railroad between milepost RZ 20.20 at North Jackson and milepost RZ 35.90 at Sebring, which traverses through United States Postal Service ZIP Codes 44451, 44609 and 44672, and includes the stations of Glenworth, Berth Center, Ben, Snoder, Ring and N. Sebring, in Mahoning County, Ohio. The proceeding will be docketed as No. AB-290 (Sub-No. 292X).

Appropriate offers of financial assistance to continue rail service can be filed with the STB. Requests for environmental conditions, public use conditions, or rail banking/ trails use also can be filed with the STB. However, because this is a discontinuance of service proceeding and not an abandonment proceeding, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historic documentation is required under 49 CFR 1105.6(c) and 1105.8. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the STB's Office of the Secretary, 1225 K Street, N.W., Washington, DC 20423-0001 (See 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on applicant's representative (See 49 CFR 1104.12(e)). Persons seeking further information concerning discontinuance procedures, offers of financial assistance, public use or trails use may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. (Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.) Copies of any comments or requests for conditions should be served on the applicant's representative: James R. Paschall, Senior General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-9241, (757) 629-2759.

THE STATE OF OHIO }
Mahoning County

Proof of Publication

Personally appeared before the undersigned authority, Julia Popovich
of THE VINDICATOR PRINTING COMPANY, publishers of THE VINDICATOR,
a newspaper printed and of general circulation in Mahoning, Trumbull and
Columbiana Counties in Ohio and Lawrence and Mercer Counties in Pennsylvania,
and being duly sworn, on h..... oath deposes and says that the notice hereto
attached was published times and that insertions were as follows:

1126107
Advertisement \$ 110.92
Affidavit \$ 2.00
TOTAL \$ 112.92

Sworn to and subscribed before me this 13 day of Feb A.D. 2007

Kelley I. Kurtz
NOTARY PUBLIC
KELLEY I. KURTZ
NOTARY PUBLIC, State of Ohio
My Commission Expires June 5, 2007



Exhibit 3

Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

James R. Paschall
Senior General Attorney

(757) 629-2759

February 2, 2007

Alan R. Schriber, Chairman
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

Regional Director
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102

Ohio Department of Transportation
Rail Development Commission
50 West Broad Street
Suite 1510
Columbus, OH 43215

Ms. Jan Matthews, Associate Director
U. S. Department of the Interior-National Park Service
Cultural Resources, Room 3126
1849 C Street, N.W.
Washington, DC 20240

U. S. Department of Agriculture
Chief of the Forest Service
Sidney R. Yates Federal Building
1400 Independence Ave., SW
Washington, DC 20250-0003

United States Department of Defense
Military Traffic Management Command (MTMCTEA)
Transportation Engineering Agency
Railroads for National Defense Program
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

Re: STB Docket No. AB-290 (Sub-No. 292X), Norfolk Southern Railway Company –
Discontinuance of Service – Mahoning County, Ohio

Ladies and Gentlemen:

Pursuant to 49 CFR 1152.50(d)(1) Norfolk Southern Railway Company (NSR), hereby gives notice that on or about February 23, 2007, it will file with the Surface Transportation Board a notice of exemption from regulation in accordance with the exemption regulations set forth at 49 CFR Part 1152, Subpart F. That notice of exemption will permit NSR's discontinuance of service over a 15.70-mile line of railroad lying between milepost RZ 20.20 near North Jackson and milepost RZ 35.90 near Sebring, in Mahoning County, Ohio (see attached map). No local traffic has moved over the line for more than two years. Overhead traffic on the line has been re-routed. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,

James R. Paschall

JRP:kch
Enclosure